

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed
and for which a patent is sought on the invention entitled:

ELECTROCAUTERIZING TOOL FOR ORTHOPEDIC SHAVE DEVICES

the specification of which

 X is attached hereto.

 was filed on as Application No.

I hereby state that I have reviewed and understand the contents of the above-identified
specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of
this application in accordance with Title 37, Code of Federal Regulations, §1.56(a) which states
in relevant part: "Each individual associated with the filing and prosecution of a patent
application has a duty of candor and good faith in dealing with the Office, which includes a duty
to disclose to the Office all information known to that individual to be material to patentability as
defined in this section....The duty to disclose all information known to be material to
patentability is deemed to be satisfied if all information known to be material to patentability of
any claim issued in a patent was cited by the Office or submitted to the Office in the manner
prescribed by §§ 1.97(b)-(d) and 1.98."

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any
foreign application(s) for patent or inventor's certificate as indicated below and have also
identified below any foreign application for patent or inventor's certificate on this invention
having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed) Yes No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), and under §119(e) of any United States provisional application(s), listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/059,383</u>	<u>9/19/97</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Patented, Pending, Abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and to file, prosecute and to transact all business in connection with international applications directed to said invention:

Paul Davis	29,294
Mark A. Haynes	30,846
John Bruckner	35,816
Charles C. Cary	36,764
David J. Weitz	38,362
Kent R. Richardson	39,443
David Abraham	39,554
U.P. Peter Eng	39,666
George A. Willman	41,378

Address all correspondence to:

Charles C. Cary
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304

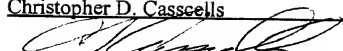
Direct all telephone calls to Charles C. Cary at (650) 493-9300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or
first inventor:

Christopher D. Cascells

Inventor's signature:



Date:

4/3/98

Citizenship:

USA

Residence:

Greenville, Delaware

Post Office Address:

100 Buck Road, Greenville, DE 19807

Full name of second
inventor:

Ramiro L. Reyes

Inventor's signature:

Date:

Citizenship:

USA

Residence:

Union City, California

Post Office Address:

32626 Muirwood Drive, Union City, CA 94587

Full name of third

inventor:

Hugh R. Sharkey

Inventor's signature:

Date:

Citizenship:

USA

Residence:

Woodside, California

Post Office Address:

150 Normandy, Woodside, CA 94062

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Ramiro L. Reyes

Inventor's signature:

Date:

4-14-98

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Union City, California

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Full name of third
inventor:

Hugh R. Sharkey

Inventor's signature:

Date:

4-14-98

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the specification of which

_____ is attached hereto.

X was filed on April 24, 1998 as Application No. 09/066,615
and amended on August 15, 2000

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<u>60/059,383</u>	<u>9/19/97</u>	<u>Abandoned</u>
(Application Serial No.)	(Filing Date)	(Patented, Pending, Abandoned)

<u>09/034,830</u>	<u>3/4/98</u>	<u>Patented</u>
(Application Serial No.)	(Filing Date)	(Patented, Pending, Abandoned)

<u>09/034,885</u>	<u>3/4/98</u>	<u>Patented</u>
(Application Serial No.)	(Filing Date)	(Patented, Pending, Abandoned)

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John J. Bruckner	35,816
David J. Weitz	38,362
Barbara Courtney	42,442
Richard L. Gregory	42,607
Van Mahamed	42,828
X. Shirley Chen	44,608
Shaalu Mehra	44,934

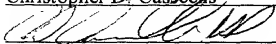
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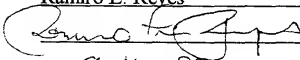
John J. Bruckner
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650 Page Mill Road
Palo Alto, CA 94304

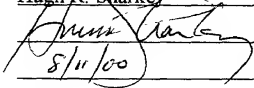
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Full name of sole or first inventor: Christopher D. Casseels
 Inventor's signature: 
 Date: 8/22/00
 Citizenship: USA
 Residence: Greenville, Delaware
 Post Office Address: 100 Buck Road, Greenville, DE 19807

Full name of second inventor: Ramiro L. Reyes
 Inventor's signature: 
 Date: 8-16-00
 Citizenship: USA
 Residence: Union City, California
 Post Office Address: 32626 Muirwood Drive, Union City, CA 94587

Full name of third inventor: Hugh R. Sharkey
 Inventor's signature: 
 Date: 8/11/00
 Citizenship: USA
 Residence: Woodside, California
 Post Office Address: 150 Normandy, Woodside, CA 94062

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 17616-786
PATENT

In re Application of)
)
Christopher D. Casscells, et al.)
)
Serial No.: Unassigned)
)
Filed: Herewith)
)
For: ELECTROCAUTERIZING TOOL)
FOR ORTHOPEDIC SHAVE)
DEVICES)

POWER OF ATTORNEY BY ASSIGNEE
TO EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71
WITH REVOCATION OF PRIOR POWERS

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

The undersigned ASSIGNEE of the entire interest in the above-identified application for letters patent hereby appoints Charles C. Cary, of Wilson Sonsini Goodrich & Rosati, Reg. No. 36,764 and all Wilson Sonsini Goodrich & Rosati attorneys registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

X a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or

— the Assignment recorded on _____ at reel __, frames __ - __.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all telephone calls to Charles C. Cary (650) 493-9300

Address all correspondence to:

Charles C. Cary
WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, California 94304-1050

ASSIGNEE: Oratec Interventions, Inc.

Name: 

(Signature)

Name: Hugh R. Sharkey

(Print or Type)

Title: Executive Vice President

Date: 4-14-98